

STATE OF ILLINOIS  
LIQUOR CONTROL COMMISSION

In the Matter of:

City Beverage – Markham, LLC  
d/b/a City Beverage Markham  
2064 W. 167th St.  
Markham, IL 60428

In the Matter of:

City Beverage – Markham, LLC  
d/b/a City Beverage – Arlington Heights  
1401 E. Algonquin Rd.  
Arlington Heights, IL 60005

Case No. 12-CCH-01

(Consolidated Case Nos. 12 C 100216,  
100217, 100218, 100219, 100220, 100221,  
100222, and 100223)

In the Matter of:

Chicago Distributing LLC  
d/b/a City Beverage – Chicago  
4841 S. California Ave.  
Chicago, IL 60632

In the Matter of:

City Beverage LLC  
d/b/a City Beverage  
1105 E. Lafayette Ave.  
Bloomington, IL 61701

ILLINOIS LIQUOR CONTROL COMMISSION  
AUGUST 8, 2012 MEETING ORDER

At its August 8, 2012 Meeting, the State of Illinois Liquor Control Commission  
("Commission") entered the following rulings with respect to the matters captioned above:

1. The July 18, 2012 Motion to Consolidate filed by Wholesaler Equity Development Corporation ("WEDCO") and the City Beverage Respondents (City Beverage LLC d/b/a City Beverage, Chicago Distributing LLC, d/b/a City Beverage – Chicago, City Beverage – Markham LLC d/b/a City Beverage Markham, and City Beverage Markham LLC d/b/a City Beverage –

Arlington Heights), (WEDCO and the City Beverage Respondents will sometimes hereinafter be referred to as "Respondents"), is granted.

2. The July 18, 2012 Motion To Amend Complaint filed by the Legal Division of the Illinois Liquor Control Commission ("Legal Division") for leave to file the Legal Division's July 18, 2012 Amended Citation and Notice of Hearing is granted.

3. Respondents' June 20, 2012 Motion for Bill of Particulars was withdrawn pursuant to the July 23 and July 24, 2012 Notices, Regarding the Amended Citation and Notice of Hearing, filed by WEDCO and the City Beverage Respondents, respectively.

4. The City Beverage Respondents' Motion to Dismiss the June 7, 2012 Citations and Notices of Hearing was withdrawn pursuant to the July 24, 2012 Notice filed by the City Beverage Respondents. The Commission recognizes that the City Beverage Respondents have joined in WEDCO's Motion to Dismiss and supporting memoranda.

5. The July 18, 2012 Motion to Dismiss All Claims Against Respondents filed by WEDCO, and joined by the City Beverage Respondents, is taken under advisement. WEDCO's Motion to Dismiss, which was filed before the filing of the Amended Citation, is deemed a Motion to Dismiss the Amended Citation.

6. The Legal Division's July 18, 2012 Motion for Summary Judgment is taken under advisement.

7. Respondents' July 27, 2012 Motion to Strike the Legal Division's Motion for Summary Judgment is denied.

8. Respondents' July 27, 2012 Motion In The Alternative to Continue Any Hearing Or Disposition of the Legal Division's Motion for Summary Judgment will be considered as part of Respondents' Motion for Discovery and is disposed of in accordance with the Commission's ruling on Respondents' Motion for Discovery as set forth below.

9. Respondents' August 1, 2012 Motion for Leave to File a Reply in Support of Their Motion for Discovery, and Respondents' August 1, 2012 Motion for Leave to File a Reply in Support of Their Motion to Dismiss All Claims Against Respondents, were denied by email dated August 2, 2012.

10. Respondents' July 18, 2012 Motion for Discovery is granted in part and denied in part, as follows:

- a. With respect to Respondents' requests for documents and information relating to the Commission's interpretation and enforcement of, and licensing under, the Illinois Liquor Control Act ("Act"), as requested by Respondents' document request nos. 1(1), 1(2), and 3, and Interrogatory No. 7, in lieu of requiring responses to those discovery requests, the Commission expects that the parties will enter into stipulations with respect to the historical facts which reflect the Commission's interpretation and enforcement of, and licensing under, the Act from 1982 to the present;
- b. The Legal Division shall produce documents in its possession in response to document request no. 1(3), with respect to documents relating to the 2005 transaction that formed City Beverage;
- c. The Legal Division shall produce documents in its possession in response to document request no. 4, with respect to documents in the licensing files of Respondents and Anheuser-Busch, Inc.;
- d. The Legal Division shall produce documents in its possession related to the subject matter of the January 10, 2001 letter written by former Commission Chief Legal Counsel John R. Stanton to Miller Brewing Company, which was attached to

the Legal Division's Response to Respondents' Motion for Discovery as Exhibit 1, from 1982 to the present;

e. Notwithstanding anything to the contrary set forth above, the Legal Division is not required to produce preliminary drafts, notes, recommendations, or internal memoranda in response to any of Respondents' discovery requests;

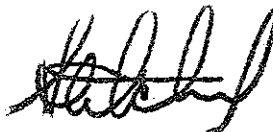
f. The Legal Division is not required to respond to any other interrogatory or document request not identified in this paragraph; and

g. The documents to be produced in accordance with this paragraph shall be produced by August 22, 2012.

11. The Commission's June 27, 2012 Scheduling Order is hereby amended to extend the date for the Parties to file Stipulations of Fact to August 29, 2012.

ENTERED by the Illinois Liquor Control Commission at Chicago, Illinois, on August 14, 2012.

ILLINOIS LIQUOR CONTROL COMMISSION



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Stephen B. Schnorf, Acting Chairman

A T T E S T:



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Allyson Reboyras, Secretary